

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Probation	(2) MEETING DATE 7/23/2013	(3) CONTACT/PHONE Chief Jim Salio, 781-1039	
(4) SUBJECT Request to approve a contract for FY 2013-14 in the amount of \$151,288, to be paid out of AB 109 realignment funds, for legal processing services of AB 109 cases between the Superior Court of California for the County of San Luis Obispo and the County of San Luis Obispo			
(5) RECOMMENDED ACTION It is recommended the Board of Supervisors approve and direct the Chair to sign a contract in the amount of \$151,288, for legal processing services of AB 109 cases between the Superior Court of California for the County of San Luis Obispo and the County of San Luis Obispo.			
(6) FUNDING SOURCE(S) AB 109 Realignment Funds	(7) CURRENT YEAR FINANCIAL IMPACT \$151,288.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input type="checkbox"/> Board Business (Time Est. ____ )			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) NA		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: NA <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest			
(18) SUPERVISOR DISTRICT(S) All Districts -			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Probation / Chief Jim Salio, 781-1039

DATE: 7/23/2013

SUBJECT: Request to approve a contract for FY 2013-14 in the amount of \$151,288, to be paid out of AB 109 realignment funds, for legal processing services of AB 109 cases between the Superior Court of California for the County of San Luis Obispo and the County of San Luis Obispo

## **RECOMMENDATION**

It is recommended the Board of Supervisors approve and direct the Chair to sign a contract in the amount of \$151,288, for legal processing services of AB 109 cases between the Superior Court of California for the County of San Luis Obispo and the County of San Luis Obispo.

## **DISCUSSION**

The 2011 Public Safety Realignment Alignment Act (AB 109) has created more work for the County's criminal justice system. Probation has more cases to supervise, the Sheriff has more inmates in the jail and the Court has to hear more revocation hearings. It is important the criminal justice system continues to be able to handle the increased workload with public safety realignment.

After two years into realignment, the effect of the increased workload has begun to affect the Court's ability to process the court paperwork needed by Probation and the Sheriff's Office. Although the Court has received \$179,624 from the State under AB 109, it has not been enough to counter the over \$7 million in budget cuts the Court has received since 2008. Since 2008, the Criminal Division of the Court has lost thirteen (13) full time legal process clerk positions, currently leaving the Court with 18 legal process clerk positions in the Criminal Division. If one part of the criminal justice system suffers, it affects the entire system. If processing of prison packets is delayed, then inmates stay longer in jail leading to overcrowding. If Probation does not receive court orders in a timely manner, it takes longer to set up cases and probationers go a longer time without seeing a Probation Officer.

As a member of the Community Correction Partnership Executive Committee, which is charged by statute with recommending allocation of AB 109 funding to your Board, the Court submitted a budget augmentation request to have two legal processing clerks funded from the County's AB109 realignment funds. The processing clerks' sole function would be to process Court cases directly related to realignment. Having these two processing clerks in place would guarantee court paperwork needed by Probation and the Sheriff would be processed in a timely manner and that revocation hearings would also be held in a timely fashion. The Executive Committee voted to approve the Court's request and adjust the AB109 budget accordingly.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel and the Superior Court for San Luis Obispo County have reviewed this contract.

## **FINANCIAL CONSIDERATIONS**

The County shall pay the Court an amount not to exceed \$151,288 annually for the actual direct costs of salary and benefits for the two legal process clerks who are hired and assigned in accordance with the contract. These positions will be full time employees of the Court. The funding will be paid entirely from the County AB 109 realignment funds. The funds for this contract come from the undesignated reserve and will be carried over annually based upon the need for funding the two legal process clerks. Based upon past realignment funding and current fiscal year allocation, the contractual expenses to the Superior Court are sustainable. The County anticipates receiving allocations equal to those received in FY 2013-14 for subsequent years. This projection is based upon information received from the State Department of Finance and California State Association of Counties (CSAC).

## **RESULTS**

**Work Performance Standards.** The Court shall ensure that the following standards are met:

- a. **Prison Packet.** The Court shall deliver prison packets to the County Jail no later than 15 business days after the conclusion of the sentencing hearing.
- b. **Probation Orders.** The Court shall deliver probation orders to the Probation Department no later than 10 business days after the conclusion of the sentencing hearing.
- c. **PRCS and Parole Revocation Hearings.** The Court will process all PRCS and Parole Revocation Hearings in a timely manner.
- d. **Specialty Courts.** The Court will maintain the current staffing levels on all existing specialty Courts.
- e. **Pre-Trial Program.** The Court will participate in all planning meetings regarding the implementation of a Pre-Trial program in San Luis Obispo County.

## **ATTACHMENTS**

- 1. Contract for Legal Processing Clerk Svcs between Superior Court and San Luis Obispo County